

# EXHIBIT C

CAUSE NO. \_\_\_\_\_

EDUARDO MERCADO	§	IN THE DISTRICT COURT OF
	§	
VS.	§	HARRIS COUNTY, TEXAS
	§	
ELAM JALEEL MUHAMMAD	§	____ JUDICIAL DISTRICT

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**PLAINTIFF'S ORIGINAL PETITION AND REQUESTS FOR DISCLOSURE**

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**TO THE HONORABLE JUDGE OF SAID COURT:**

**NOW COMES,** Plaintiff EDUARDO MERCADO complaining of ELAM JALEEL MUHAMMAD (hereinafter "Defendant MUHAMMAD"), and for cause of action would respectfully show:

**I.**

Plaintiff intends to conduct discovery under Level II, pursuant to 190.3 of the TEXAS RULES OF CIVIL PROCEDURE.

**II.**

Plaintiff EDUARDO MERCADO is a resident of Harris County, Texas. The last three numbers of Plaintiff's Texas driver's license number are 579, and the last three numbers of his social security number are 367.

Defendant ELAM JALEEL MUHAMMAD is a "non-resident" individual as that term is defined and understood under §17.041 of the TEXAS CIVIL PRACTICE AND REMEDIES CODE. Accordingly, for purpose of securing service of process on Defendant MUHAMMAD, the Plaintiff pleads and will prove the following:

- a. Defendant MUHAMMAD was the operator of a vehicle involved in an automobile accident on April 5, 2016 in this state; and

**Plaintiff's Original Petition and Requests for Disclosure**

- b. At the time of the institution of this litigation, Defendant MUHAMMAD was a "non-resident" as that term is defined and understood under §17.041 of the TEXAS CIVIL PRACTICE AND REMEDIES CODE.

Accordingly, pursuant to §17.062 of the TEXAS CIVIL PRACTICE AND REMEDIES CODE, the Chair of the Texas Transportation Commission is the agent for service of process on Defendant MUHAMMAD and service on Defendant MUHAMMAD may be obtained by serving the Chair of the Texas Transportation Commission at 125 E. 11th Street Austin, Texas 78701-2483.

Notice to Defendant MUHAMMAD of service of process on the Chair of the Texas Transportation Commission may be made, pursuant to §17.063 of the TEXAS CIVIL PRACTICE AND REMEDIES CODE, by mailing a copy of the process and notice that the process has been served on the Chair by registered mail or certified mail, return receipt requested to Defendant MUHAMMAD at 417 Westermoreland Avenue, Lansing, Michigan 78915.

This incident occurred in Harris County, Texas.

### III.

Damages sought are within the jurisdictional limits of this Court. Plaintiff seeks monetary relief of over \$100,000, but not more than \$200,000.

This Court has jurisdiction and venue is proper in Harris County, Texas pursuant to Tex. Civ. Prac. & Rem. Code §15.002(a)(1) because all or a substantial part of the events or omissions giving rise to the claim occurred in Harris County, Texas.

### IV.

On or about April 5, 2016, Plaintiff was traveling southbound on Smith Street in Houston, Harris County, Texas. Plaintiff proceeded through the intersection on a green light. Suddenly and without warning, Defendant, who had been traveling on Dallas Street, ran a red

light, failed to yield the right of way, and collided with the Plaintiff's vehicle. As a result of the incident, Plaintiff sustained serious personal injuries.

**V.**

On the occasion in question, Defendant violated his duty to exercise ordinary care in the operation of the motor vehicle and was negligent in one or more of the following particulars:

- (a) in failing to control the speed of his vehicle;
- (b) in failing to take proper evasive action;
- (c) in failing to timely apply the brakes to the vehicle he was driving;
- (d) in failing to apply sufficient force to the brakes to avoid the collision;
- (e) in failing to avoid the collision;
- (f) in failing to maintain a proper lookout;
- (g) in failing to drive in a reasonably attentive manner;
- (h) in failing to maintain control of his vehicle
- (i) in failing to maintain a single marked lane;
- (j) in failing to abide by traffic signals; and
- (k) in failing to exercise ordinary care as a reasonably prudent person would have done under the same or similar circumstances.

Each of these acts or omissions, singularly or collectively, constituted negligence, which proximately caused the occurrence made the basis of this suit and the resulting injuries and damages to Plaintiff.

**VI.**

All of the facts stated in this pleading are incorporated herein as if fully set forth. The actions, conduct and/or omissions of the Defendant were a violation of state law and/or local regulations and/or ordinances and as such constitute negligence per se.

**VII.**

As a direct and proximate result of the aforementioned acts and omissions of negligence by the Defendant, Plaintiff sustained the following damages for which he is legally entitled to recover:

**Plaintiff's Original Petition and Requests for Disclosure**

1. Necessary and reasonable medical expenses, past and future;
2. Physical pain and mental anguish, past and future;
3. Physical impairment, past and future;
4. Disfigurement, past and future;
5. Loss of income and reduced wage earning capacity, past and future;
6. Property Damage; and
7. Pre-judgment interest and costs of Court.

If it be found that Plaintiff was suffering from any predispositions, conditions or bodily infirmities prior to the date of the collision, Plaintiff would show unto the Court and jury that the same was neither disabling nor painful, but that as a result of the injuries suffered by Plaintiff on such occasion, and the effects thereof, the same had been incited, accelerated, and aggravated to such an extent that they have now become painful and disabling as described herein.

#### **VIII.**

Pursuant to Rule 194 of the Texas Rules of Civil Procedure, Defendant is requested to disclose the information and material described in Rule 194.2 within fifty (50) days of the service of this request.

#### **IX.**

Please take notice that, pursuant to Rule 193.7 of the Texas Rules of Civil Procedure, for purposes of self-authentication, any and all documents produced by Defendant to Plaintiff in response to written discovery will be used against Defendant at any pretrial proceeding or at trial.

#### **X.**

WHEREFORE, PREMISES CONSIDERED, Plaintiff prays that Defendant be cited to appear and answer herein; that upon trial hereof, Plaintiff has judgment of the Court against such Defendant in a total amount of money substantially in excess of the minimum jurisdictional limit of this Court, together with prejudgment and post-judgment interest as provided by applicable

laws; for all costs of court; and for all such other and further relief, both general and special, legal and equitable, to which Plaintiff may show himself justly entitled.

Respectfully submitted,

**THE CRIM LAW FIRM, P.C.**

/s/: *Wade D. Moriarty*

Wade D. Moriarty  
Texas Bar No. 00789503  
4900 Travis St.  
Houston, Texas 77002  
(713)-807-7800 Telephone  
(713)-807-8434 Facsimile  
Wade@TheCrimLawFirm.com

**ATTORNEY FOR PLAINTIFF  
EDUARDO MERCADO**

CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

STYLED

(e.g., John Smith v. All American Insurance Co; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. The information should be the best available at the time of filing.

<b>1. Contact information for person completing case information sheet:</b>		<b>Names of parties in case:</b>		<b>Person or entity completing sheet is:</b>	
Name:	Email:	Plaintiff(s)/Petitioner(s):		<input type="checkbox"/> Attorney for Plaintiff/Petitioner <input type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other:	
Address:	Telephone:	Defendant(s)/Respondent(s):		Additional Parties in Child Support Case:	
City/State/Zip:	Fax:			Custodial Parent:	
Signature:	State Bar No:			Non-Custodial Parent:	
				Presumed Father:	
		[Attach additional page as necessary to list all parties]			
<b>2. Indicate case type, or identify the most important issue in the case (select only 1):</b>					
<b>Civil</b>			<b>Family Law</b>		
<b>Contract</b>	<b>Injury or Damage</b>	<b>Real Property</b>	<b>Marriage Relationship</b>	<b>Post-judgment Actions (non-Title IV-D)</b>	
<i>Debt/Contract</i> <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract:  <i>Foreclosure</i> <input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract:	<input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <i>Malpractice</i> <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability:  <input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises <i>Product Liability</i> <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product:  <input type="checkbox"/> Other Injury or Damage:	<input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property:	<input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void <i>Divorce</i> <input type="checkbox"/> With Children <input type="checkbox"/> No Children	<input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other  <b>Title IV-D</b> <input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocity (UIFSA) <input type="checkbox"/> Support Order	
<b>Employment</b>	<b>Other Civil</b>		<b>Related to Criminal Matters</b>	<b>Other Family Law</b>	<b>Parent-Child Relationship</b>
<input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment:	<input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property		<input type="checkbox"/> Expunction <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other:	<input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other:	<input type="checkbox"/> Adoption/Adoption with Termination <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child:
<b>Tax</b>	<b>Probate &amp; Mental Health</b>				
<input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	<i>Probate/Wills/Intestate Administration</i> <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings				
<b>3. Indicate procedure or remedy, if applicable (may select more than 1):</b>					
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action		<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment		<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover	
<b>4. Indicate damages sought (do not select if it is a family law case):</b>					
<input type="checkbox"/> Less than \$100,000, including damages of any kind, penalties, costs, expenses, pre-judgment interest, and attorney fees <input type="checkbox"/> Less than \$100,000 and non-monetary relief <input type="checkbox"/> Over \$100,000 but not more than \$200,000 <input type="checkbox"/> Over \$200,000 but not more than \$1,000,000 <input type="checkbox"/> Over \$1,000,000					

**CIVIL PROCESS REQUEST**

FOR EACH PARTY SERVED YOU MUST FURNISH ONE (1) COPY OF THE PLEADING  
 FOR WRITS FURNISH TWO (2) COPIES OF THE PLEADING PER PARTY TO BE SERVED

CASE NUMBER: \_\_\_\_\_ CURRENT COURT: \_\_\_\_\_

TYPE OF INSTRUMENT TO BE SERVED (See Reverse For Types): \_\_\_\_\_

FILE DATE OF MOTION: \_\_\_\_\_  
 Month/ Day/ Year

SERVICE TO BE ISSUED ON (Please List Exactly As The Name Appears In The Pleading To Be Served):

1. NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

AGENT, (if applicable): \_\_\_\_\_

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): \_\_\_\_\_

SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE

☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: \_\_\_\_\_ Phone: \_\_\_\_\_

☐ MAIL ☐ CERTIFIED MAIL

☐ PUBLICATION:

Type of Publication: ☐ COURTHOUSE DOOR, or

☐ NEWSPAPER OF YOUR CHOICE: \_\_\_\_\_

☐ OTHER, explain \_\_\_\_\_

\*\*\*\*\*

\*\*\*\*

2. NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

AGENT, (if applicable): \_\_\_\_\_

TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): \_\_\_\_\_

SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE

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☐ OTHER, explain \_\_\_\_\_

**ATTORNEY (OR ATTORNEY'S AGENT) REQUESTING SERVICE:**

NAME: \_\_\_\_\_ TEXAS BAR NO./ID NO. \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ FAX NUMBER: \_\_\_\_\_  
 area code phone number area code fax number

EMAIL ADDRESS: \_\_\_\_\_

SERVICE REQUESTS WHICH CANNOT BE PROCESSED BY THIS OFFICE WILL BE HELD FOR 30 DAYS PRIOR TO CANCELLATION. FEES WILL BE REFUNDED ONLY UPON REQUEST, OR AT THE DISPOSITION OF THE CASE. SERVICE REQUESTS MAY BE REINSTATED UPON APPROPRIATE ACTION BY THE PARTIES.

INSTRUMENTS TO BE SERVED:

(Fill In Instrument Sequence Number, i.e. 1st, 2nd, etc.)

ORIGINAL PETITION

\_\_\_\_\_ AMENDED PETITION  
\_\_\_\_\_ SUPPLEMENTAL PETITION

COUNTERCLAIM

\_\_\_\_\_ AMENDED COUNTERCLAIM  
\_\_\_\_\_ SUPPLEMENTAL COUNTERCLAIM

CROSS-ACTION:

\_\_\_\_\_ AMENDED CROSS-ACTION  
\_\_\_\_\_ SUPPLEMENTAL CROSS-ACTION

THIRD-PARTY PETITION:

\_\_\_\_\_ AMENDED THIRD-PARTY PETITION  
\_\_\_\_\_ SUPPLEMENTAL THIRD-PARTY PETITION

INTERVENTION:

\_\_\_\_\_ AMENDED INTERVENTION  
\_\_\_\_\_ SUPPLEMENTAL INTERVENTION

INTERPLEADER

\_\_\_\_\_ AMENDED INTERPLEADER  
\_\_\_\_\_ SUPPLEMENTAL INTERPLEADER

INJUNCTION

MOTION TO MODIFY

SHOW CAUSE ORDER

TEMPORARY RESTRAINING ORDER

BILL OF DISCOVERY:

ORDER TO: \_\_\_\_\_  
(specify)

MOTION TO: \_\_\_\_\_  
(specify)

PROCESS TYPES:

NON WRIT:

CITATION  
ALIAS CITATION  
PLURIES CITATION  
SECRETARY OF STATE CITATION  
COMMISSIONER OF INSURANCE  
HIGHWAY COMMISSIONER  
CITATION BY PUBLICATION  
NOTICE  
SHORT FORM NOTICE  
PRECEPT (SHOW CAUSE)  
RULE 106 SERVICE

SUBPOENA

WRITS:

ATTACHMENT (PROPERTY)  
ATTACHMENT (WITNESS)  
ATTACHMENT (PERSON)

CERTIORARI

EXECUTION  
EXECUTION AND ORDER OF SALE

GARNISHMENT BEFORE JUDGMENT  
GARNISHMENT AFTER JUDGMENT

HABEAS CORPUS  
INJUNCTION  
TEMPORARY RESTRAINING ORDER

PROTECTIVE ORDER (FAMILY CODE)  
PROTECTIVE ORDER (CIVIL CODE)

POSSESSION (PERSON)  
POSSESSION (PROPERTY)

SCIRE FACIAS  
SEQUESTRATION  
SUPERSEDEAS

*J. Stephen Crim II*

*Jonathan Kieschnick\**

*Wade Moriarty\**

*Joshua Chambers*

*Nicholas L. Ware*

*Stephany Duque Aguilar*

*Nydia S. Avolevan*

**THE CRIM LAW FIRM**  
A PROFESSIONAL CORPORATION

4900 Travis Street

Houston, Texas 77002

[www.thecrimlawfirm.com](http://www.thecrimlawfirm.com)

713-807-7800 \* 800-807-9360 \* Fax 713-807-8852

**Houston \* Dallas \* Denver**

*\*Board Certified-Personal*

*Injury Trial Law*

*Martin Rueda^*

*^Of Counsel*

November 7, 2017

Harris County District Court

Re: Cause no.: 2017-73414; Eduardo Mercado vs. Elam Jaleel Muhammad

In filing the Plaintiff's Original Petition and Requests for Disclosure on 10/31/2017, I failed to include the correct citation fee for the Chair of the Transportation Committee. To cover the additional amount required for the Chair of the Transportation Committee, I've paid for an additional citation and copies with this filing. Please accept this additional fee so that a citation may be issued for the Defendant.

If you should have any questions regarding this matter, please feel free to give us a call.

Thank you for your courtesy and cooperation.

Very truly yours,

**THE CRIM LAW FIRM, P.C.**

*Nydia S. Avolevan*

Nydia S. Avolevan

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SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE

☐ CIVIL PROCESS SERVER - Authorized Person to Pick-up: \_\_\_\_\_ Phone: \_\_\_\_\_

☐ MAIL ☐ CERTIFIED MAIL

☐ PUBLICATION:

Type of Publication: ☐ COURTHOUSE DOOR, or

☐ NEWSPAPER OF YOUR CHOICE: \_\_\_\_\_

☐ OTHER, explain \_\_\_\_\_

\*\*\*\*\*

\*\*\*\*

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TYPE OF SERVICE/PROCESS TO BE ISSUED (see reverse for specific type): \_\_\_\_\_

SERVICE BY (check one):

☐ ATTORNEY PICK-UP ☐ CONSTABLE

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NAME: \_\_\_\_\_ TEXAS BAR NO./ID NO. \_\_\_\_\_

MAILING ADDRESS: \_\_\_\_\_

PHONE NUMBER: \_\_\_\_\_ FAX NUMBER: \_\_\_\_\_  
area code phone number area code fax number

EMAIL ADDRESS: \_\_\_\_\_

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\_\_\_\_\_ AMENDED COUNTERCLAIM  
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\_\_\_\_\_ AMENDED CROSS-ACTION  
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\_\_\_\_\_ AMENDED THIRD-PARTY PETITION  
\_\_\_\_\_ SUPPLEMENTAL THIRD-PARTY PETITION

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\_\_\_\_\_ AMENDED INTERVENTION  
\_\_\_\_\_ SUPPLEMENTAL INTERVENTION

INTERPLEADER

\_\_\_\_\_ AMENDED INTERPLEADER  
\_\_\_\_\_ SUPPLEMENTAL INTERPLEADER

INJUNCTION

MOTION TO MODIFY

SHOW CAUSE ORDER

TEMPORARY RESTRAINING ORDER

BILL OF DISCOVERY:

ORDER TO: \_\_\_\_\_  
(specify)

MOTION TO: \_\_\_\_\_  
(specify)

PROCESS TYPES:

NON WRIT:

CITATION  
ALIAS CITATION  
PLURIES CITATION  
SECRETARY OF STATE CITATION  
COMMISSIONER OF INSURANCE  
HIGHWAY COMMISSIONER  
CITATION BY PUBLICATION  
NOTICE  
SHORT FORM NOTICE  
PRECEPT (SHOW CAUSE)  
RULE 106 SERVICE

SUBPOENA

WRITS:

ATTACHMENT (PROPERTY)  
ATTACHMENT (WITNESS)  
ATTACHMENT (PERSON)

CERTIORARI

EXECUTION  
EXECUTION AND ORDER OF SALE

GARNISHMENT BEFORE JUDGMENT  
GARNISHMENT AFTER JUDGMENT

HABEAS CORPUS  
INJUNCTION  
TEMPORARY RESTRAINING ORDER

PROTECTIVE ORDER (FAMILY CODE)  
PROTECTIVE ORDER (CIVIL CODE)

POSSESSION (PERSON)  
POSSESSION (PROPERTY)

SCIRE FACIAS  
SEQUESTRATION  
SUPERSEDEAS



**CHRIS DANIEL**  
HARRIS COUNTY DISTRICT CLERK

ENTERED  
VERIFIED *OK*

### Civil Process Pick-Up Form

CAUSE NUMBER: 201773414

ATY X

CIV \_\_\_\_\_

COURT 165

#### REQUESTING ATTORNEY/FIRM NOTIFICATION

ATTORNEY: Moriarty, Wade D. PH: 713-807-7800

CIVIL PROCESS SERVER: \_\_\_\_\_

PH: \_\_\_\_\_

PERSON NOTIFIED SVC READY: Camille

DATE: 12-27-2017

Type of Service Document: Citation

Tracking Number 73447195

Type of Service Document: \_\_\_\_\_

Tracking Number \_\_\_\_\_

Type of Service Document: \_\_\_\_\_

Tracking Number \_\_\_\_\_

Type of Service Document: \_\_\_\_\_

Tracking Number \_\_\_\_\_

Type of Service Document: \_\_\_\_\_

Tracking Number \_\_\_\_\_

Type of Service Document: \_\_\_\_\_

Tracking Number \_\_\_\_\_

Type of Service Document: \_\_\_\_\_

Tracking Number \_\_\_\_\_

Process papers prepared by: Walter Eldridge

Date: 12-21-2017

30 days waiting 01-20-2018

Process papers released to: \_\_\_\_\_

Carol Agnew

(PRINT NAME)

(CONTACT NUMBER)

Carol Agnew

(SIGNATURE)

Process papers released by: \_\_\_\_\_

A.S.

(PRINT NAME)

A.S.

(SIGNATURE)

Date: 12/28/17, 2017 Time: 12:20 AM / PM

RECORDER'S MEMORANDUM  
This instrument is of poor quality  
at the time of imaging

P.2

CAUSE NO. 201773414

RECEIPT NO.

0.00

ATY

\*\*\*\*\*

TR # 73447195

PLAINTIFF: MERCADO, EDUARDO  
vs.  
DEFENDANT: MUHAMMAD, ELAM JALEEL

In The 165th  
Judicial District Court  
of Harris County, Texas  
165TH DISTRICT COURT  
Houston, TX

CITATION (STATE HIGHWAY COMMISSION)

THE STATE OF TEXAS  
County of Harris

TO: MUHAMMAD, ELAM JALEEL BY SERVING CHAIR OF TEXAS TRANSPORTATION  
COMMISSION J BRUCE BUGG JR  
125 E 11TH STREET AUSTIN TEXAS 78701-2483  
FORWARD TO:  
417 WESTMORELAND AVENUE LANSING MI 78915

**FILED**Chris Daniel  
District Clerk

JAN 08 2018

Time: 3:08  
Harris County, Texas

By: [Signature] Deputy

Attached is a copy of PLAINTIFF'S ORIGINAL PETITION AND REQUESTS FOR DISCLOSURE

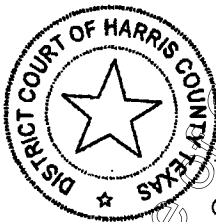
This instrument was filed on the 31st day of October, 2017, in the above cited cause number and court. The instrument attached describes the claim against you.

YOU HAVE BEEN SUED, You may employ an attorney. If you or your attorney do not file a written answer with the District Clerk who issued this citation by 10:00 a.m. on the Monday next following the expiration of 20 days after you were served this citation and petition, a default judgment may be taken against you.

TO OFFICER SERVING:

This citation was issued on 21st day of December, 2017, under my hand and seal of said Court.

Issued at request of:  
MORIARTY, WADE D.  
4900 TRAVIS STREET  
HOUSTON, TX 77002  
Tel: (713) 807-7800  
Bar No.: 789503



Chris Daniel

CHRIS DANIEL, District Clerk  
Harris County, Texas  
201 Caroline, Houston, Texas 77002  
(P.O. Box 4651, Houston, Texas 77210)

Generated By: ELDRIDGE, WALTER F J8P//10848171

## OFFICER/AUTHORIZED PERSON RETURN

Came to hand at 10:00 o'clock A.M., on the 29<sup>th</sup> day of December, 2017.

Executed at (address) \_\_\_\_\_ in \_\_\_\_\_

County at \_\_\_\_\_ o'clock \_\_\_\_\_ .M., on the \_\_\_\_\_ day of \_\_\_\_\_,

\_\_\_\_\_, by delivering to \_\_\_\_\_ defendant, in person, a true copy of this Citation together with the accompanying \_\_\_\_\_ copy(ies) of the \_\_\_\_\_

attached thereto and I endorsed on said copy of the Citation the date of delivery.

To certify which I affix my hand officially this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

FEE: \$ \_\_\_\_\_

\_\_\_\_\_ of \_\_\_\_\_ County, Texas

Affiant

By

Deputy

On this day, \_\_\_\_\_, known to me to be the person whose signature appears on the foregoing return, personally appeared. After being by me duly sworn, he/she stated that this citation was executed by him/her in the exact manner recited on the return.

SWORN TO AND SUBSCRIBED BEFORE ME, on this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

Notary Public

**RETURN OF SERVICE**

**Cause No. 201773414**

In The 165th Judicial District Court of  
Harris County, Texas

EDUARDO MERCADO  
Plaintiff

V.

ELAM JALEEL MUHAMMAD  
Defendant

**FILED**

Chris Daniel  
District Clerk

JAN 08 2018

Time: 3:08  
Harris County, Texas  
By: [Signature]  
Deputy

Came to hand on December 29, 2017, at 10:00 AM.

Executed at 125 E. 11th Street, 6th Floor, Austin, TX 78701, within the County of Travis at 11:30 AM on December 29, 2017, by delivering to the within named:

**ELAM JALEEL MUHAMMAD,**

by delivering to the Chair of the Texas Transportation Commission, by and through the Texas Department of Transportation's Office of General Counsel, by delivering to its designated agent, ALICIA RAMON-KANE, a true copy of this Citation together with Plaintiff's Original Petition and Requests for Disclosure, having first endorsed upon such copy of such process the date of delivery, and tendering the \$25 Statutory Fee.

I certify that I am approved by the Supreme Court of Texas, Misc. Docket No. 05-9122 under rule 103 and 536(a) of the TRCP to deliver citations and other notices from any District, County, and Justice Courts in and for the State of Texas. I am competent to make this oath; I am not less than 18 years of age, I am not a party to the above-referenced cause, I have not been convicted of a felony or a crime involving moral turpitude, and I am not interested in the outcome of the above-referenced cause.

By: [Signature]  
Thomas R. Kroll PSC-3012,  
Exp: 8/31/2019

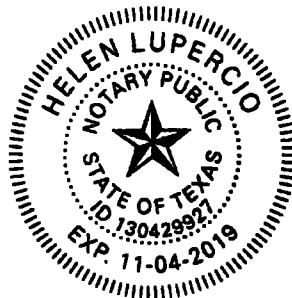
**VERIFICATION**

STATE OF TEXAS §  
COUNTY OF TRAVIS §

BEFORE ME, A NOTARY PUBLIC, on this day personally appeared Thomas R. Kroll, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained are true and correct.

Given under my hand and seal of office this December 29, 2017.

[Signature]  
NOTARY PUBLIC, STATE OF TEXAS



17-030577/Mercado

CAUSE NO. 2017-73414

EDUARDO MERCADO,

Plaintiff,

vs.

ELAM JALEEL MUHAMMAD,

Defendant.

IN THE DISTRICT COURT

165TH JUDICIAL DISTRICT

HARRIS COUNTY, TEXAS

**DEFENDANT, ELAM JALEEL MUHAMMAD'S ORIGINAL ANSWER**

TO THE HONORABLE JUDGE OF SAID COURT:

NOW COMES ELAM JALEEL MUHAMMAD, Defendant in the above-styled and numbered cause, and files Defendant's Original Answer, and in support hereof would respectfully show unto the Court the following:

**GENERAL DENIAL**

Defendant denies each and every, all and singular, material allegations made and contained in the Original Petition and any petition which Plaintiff may hereinafter file by way of amendment or supplement, and, in accordance with Texas law, demands that Plaintiff prove by a preponderance of the credible evidence each and every such allegation made and contained therein.

**JURY REQUEST**

Defendant respectfully requests a jury trial.

**PRAYER**

WHEREFORE, PREMISES CONSIDERED, Defendant prays that Plaintiff take nothing by this suit against Defendant, that Defendant be discharged, and that the Court grant such other and further relief, both general and special, at law and in equity to which Defendant may be justly entitled.

Respectfully submitted,

SUSAN L. FLORENCE & ASSOCIATES

  
\_\_\_\_\_  
**MORGAN KING**

TBN: 24078834

440 Louisiana, Suite 1000

Houston, TX 77002

HoustonLegal@allstate.com

(713) 336-2827

(877) 684-4165 (fax)

ATTORNEY FOR DEFENDANT

ELAM JALEEL MUHAMMAD

**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the foregoing has been served in compliance with Rules 21 and 21a of the Texas Rules of Civil Procedure on the 26th day of January, 2018 to:

Attorney for Plaintiff Mercado  
Wade D. Moriarty  
The Crim Law Firm, P.C.  
4900 Travis St  
Houston TX 77002

  
\_\_\_\_\_  
**MORGAN KING**